

Applicant Initiated Interview Request Form

Application No.: 10/573,787 First Named Applicant: Andre CHOJNACKI
 Examiner: B. GORDON Art Unit: 1797 Status of Application: _____

Tentative Participants:

(1) Smith Sirisakorn (2) Linda Saltiel
 (3) _____ (4) _____

Proposed Date of Interview: 6/26/2009 Proposed Time: PM (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Applied Reference(s)	Discussed	Agreed	Not Agreed
(1) §112 Rejections	7-12	N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) §103 Rejections	7-12	U.S. Patent No. 6,447,728 (Wilmes) and U.S. Patent No. 4,869,114 (Kido)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Brief Description of Arguments to be Presented:

In Wilmes, the device comprises clamping means, allowing an easy exchange of the oscillating pipette, mounted on a rigidly secured holder 1.

Wilmes does not disclose a head of the pipette mounted in the supporting block rotating freely in the frame around an axis perpendicular to the plane in which the pipette oscillates. On the contrary, the head of the pipette is fixed during oscillation of said pipette.

The arm 20 of Kido rotates, by means of a motor, around an axis perpendicular to a plane in which the arm moves (from a first position to a second position). Tip 15 is not an oscillating pipette of a mixing appliance. Applicants submit that Wilmes and Kido fail to at least disclose, "driving means designed to cause oscillation of the free end of the pipette, the driving means including an actuating unit securedly fixed to the frame and associated with a guiding block located between the free end and the head of the pipette and operating in conjunction with the body of the pipette, wherein the head supporting block is mounted in such a way as to rotate freely in the frame around an axis perpendicular to the plane in which the pipette oscillates." As shown in figure 2, the rotation axis 9 of motor 3 is separate from axis 7, around which the head supporting block 5 rotates freely.

The combination of Wilmes and Kido will at most lead to replace the eccentric motor of Wilmes by a motor located at the head of the pipette to perform the oscillations. A rotation axis of the pipette of Wilmes would then be at the level of the head of the pipette and this would not be a free rotation.

An interview was conducted on the above-identified application on _____

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.61).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of substance of this interview (37 CFR 1.133(b)) as soon as possible.

 (Applicant/Applicant's Representative Signature)

 (Examiner/SPE Signature)

June 25, 2009

PROPOSED CLAIMS

Re: U.S. Patent Application No. 10/573,787
 DO NOT ENTER: /B.G./ Inventor: Andre CHOJNACKI et al.
 Our Ref.: 127563
 Your Ref.: PA1846US

DO NOT ENTER: /B.G./

1-6. (Canceled)

7. (Currently Amended) ~~Mixing~~ A mixing appliance pertaining to a chemical or biochemical analyser ~~comprising~~ comprising:

a frame at least one pipette having a body, a free end and a head fixed to a head supporting block, ~~block~~ and

DO NOT ENTER: /B.G./

driving means designed to cause oscillation of the free end of the pipette, the driving means ~~comprising~~ including an actuating unit securedly fixed to ~~a frame~~ the frame and associated with a guiding block located between the free end and the head of the pipette and operating in conjunction with the body of the pipette, ~~appliance~~

wherein the head supporting block is mounted in such a way as to rotate freely in the frame around an axis perpendicular to the plane in which the pipette oscillates.

8. (Currently Amended) ~~Appliance~~ The mixing appliance according to claim 7, wherein the guiding block comprises a connecting block, securedly fixed to ~~the axis~~ an axis of the actuating unit, and an eccentric block, securedly fixed to the connecting block, in contact with the body of the pipette and mounted such as to rotate freely around ~~its axis~~ an axis of the eccentric block.

9. (Currently Amended) ~~Appliance~~ The mixing appliance according to claim 8, wherein the body of the pipette passes through the eccentric block.

10. (Currently Amended) ~~Appliance~~ The mixing appliance according to claim 8, wherein the axis of the eccentric block presents an offset of about 0.1 mm with respect to the axis of the actuating unit.

11. (Currently Amended) ~~Appliance~~ The mixing appliance according to claim 7, wherein the actuating unit is a DC motor.

12. (Currently Amended) ~~Appliance~~ The mixing appliance according to claim 11, comprising means for regulating the speed, acceleration or operating time of the motor.